UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS

Houston Division

HOUSTON INDUSTRIES INCORPORATED,)
Plaintiff—Cross–Respondent,)
vs.) Civil Action No. H-95-5237
DANIEL C. KAUFMAN, et al.,	3
Defendants—Cross–Petitioner.	////

GOVERNMENT'S ADDITIONAL DESIGNATION OF DOCUMENTS FOR THE RECORD ON APPEAL

Pursuant to the Order to Designate entered May 23, 1996, defendants--cross-petitioners designate the following documents, in addition to those already designated by plaintiff by letter of May 31, 1996, to be included in the record on appeal. We enclose one copy of each:

Dock	cet No. Date	<u>Title</u>
5	12/12/95	Government's Motion for Judgment on the Pleadings
6	12/12/95	Memorandum of Points & Authorities in Support of Government's Motion for Judgment on the Pleadings
7	12/12/95	Government's Cross-Claim for Enforcement of CID
16	04/05/96	Government's Motion for Clarification
35	05/17/96	Government's Memorandum of Points and Authorities in Opposition to HII's Motion for Stay Pending Appeal

Respectfully submitted,

Daniel C. Kaufman

D.C. Bar No. 118422

Rebekah J. French

Montana State Bar No. 2463

U.S. Department of Justice, Antitrust Division Transportation, Energy & Agriculture Section

325 Seventh Street, N.W. — Suite 500

Washington, D.C. 20530

(202) 514-8369

(202) 307-2784 (fax)

Certificate of Service

The undersigned hereby certifies that true and correct copies of the foregoing document were, on this 5th day of June, 1996, served by overnight courier for next business day delivery to the counsel of record listed below.

J. Gregory Copeland Rufus W. Oliver III BAKER & BOTTS, L.L.P. 910 Louisiana One Shell Plaza Houston, Texas 77002 Phone: (713) 229-1301 Fax: (713) 229-1522 Hugh Rice Kelly, Senior Vice President and General Counsel Michael Jines, Senior Counsel HOUSTON INDUSTRIES INCORPORATED 25th Floor — Electric Tower Houston, Texas 77002 Phone: (713) 207-7265 Fax: (713) 207-5503

Rebekah J. French